

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 16, 2018**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Robert M. Waggy

Case Number: 0980 2:17CR00212-SAB-1

Address of Offender: Spokane, Washington 99204

Name of Sentencing Judicial Officer: The Honorable John T. Rodgers, U.S. Magistrate Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: November 14, 2017

Original Offense: Telephone Harassment, 18 U.S.C. § 13 and RCW 9A.02.030(1)(a), (b)

Original Sentence: 60 months

Type of Supervision: Probation

Asst. U.S. Attorney: Timothy John Ohms

Date Supervision Commenced: November 14, 2017

Defense Attorney: Federal Defenders office

Date Supervision Expires: November 13, 2022

---

---

**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/31/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

2	<b><u>Mandatory Condition # 1:</u></b> You must not commit another federal, state or local crime.
---	---

**Supporting Evidence:** Robert Waggy violated the terms of his probation by committing Criminal Trespass in the first degree, in violation of RCW 9A.52.070 on May 8, 2018.

According to Kalispel Tribal Police report number 2018-82001522, a Kalispel Tribal police officer was advised a male, who identified himself as Mark, had entered onto Kalispel Tribal land located in Airway Heights, Washington. The report states he entered a building being used as a construction job site building by Lydig Construction on Kalispel Tribal land on May 8, 2018. The report states the male served the construction employees a cease and desist letter. The letter was authored and signed by Robert Waggy. It was determined Robert Waggy had been previously trespassed from Kalispel Tribal Reservation lands, and their businesses, both verbally and via certified letter. Robert Waggy was issued a criminal citation for violating RCW 9A.52.070, Criminal Trespass in the first degree.

On November 21, 2017, Robert Waggy signed his judgment for case number 2:17CR00212-SAB-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Waggy was made aware by his U.S. probation officer that he must not commit another federal, state or local crime.

**Re: Waggy, Robert M**

**November 16, 2018**

**Page 2**

The U.S. Probation Office respectfully recommends the Court incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/31/2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 16, 2018

s/Patrick J. Dennis

Patrick J. Dennis  
U.S. Probation Officer

---

---

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

November 16, 2018

Date